

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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| In re | : | Chapter 11 |
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| DPH HOLDINGS CORP., <u>et al.</u> , | : | Case No. 05-44481 (RDD) |
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| Reorganized Debtors. | : | (Jointly Administered) |
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SUPPLEMENTAL ORDER SCHEDULING HEARING ON THE
SUBSTANTIAL CONTRIBUTION APPLICATION FILED BY
HIGHLAND CAPITAL MANAGEMENT, L.P. FOR JULY 22, 2010

Upon the application of Highland Capital Management, L.P. ("Highland"), pursuant to 11 U.S.C. § 503(b)(3) and (b)(4), for allowance and reimbursement of reasonable professional fees and actual, necessary expenses in making a substantial contribution in the above-captioned cases (the "Highland Substantial Contribution Application") and pursuant to an agreement, contained in this Order, between the above-captioned reorganized debtors (the "Reorganized Debtors") and Highland with respect to a scheduling dispute relating thereto, it is hereby

ORDERED that, except as expressly modified herein, the Order Scheduling Hearing On The Substantial Contribution Application Filed By Highland Capital Management, L.P. For June 30, 2010 (Docket No. 19936) remains in full force and effect; and it is further

ORDERED that the hearing on the Highland Substantial Contribution Application is adjourned until the Fifty-Seventh Omnibus Hearing, which is scheduled to occur on July 22, 2010 at 10:00 a.m. (prevailing Eastern time) (the "Hearing"); and it is further

ORDERED that Highland shall submit the declaration of Patrick H. Daugherty (the "Daugherty Declaration") no later than June 30, 2010 at 5:00 p.m. (prevailing Eastern time); and it is further

ORDERED that the Daugherty Declaration shall constitute Mr. Daugherty's direct testimony in support of the Highland Substantial Contribution Application and that no other direct testimony, other than a Rebuttal Declaration (defined below), shall be permitted with respect to the Highland Substantial Contribution Application; and it is further

ORDERED that Mr. Daugherty shall be made available between the hours of 8:00 a.m. and 5:00 p.m. (prevailing Central time) for a deposition (the "Daugherty Deposition") in Dallas, Texas or by phone, at the election of the Reorganized Debtors; provided, however, that in any event, the Reorganized Debtors shall be entitled, at their discretion, to depose Mr. Daugherty for up to seven hours, not including time taken for breaks or on account of any other interruptions; and it is further

ORDERED that Mr. Daugherty shall be made available for the Daugherty Deposition on one of two dates to be selected by the Reorganized Debtors and occurring between July 13 through July 16, 2010, inclusive, subject to the Reorganized Debtors' right to cancel the Daugherty Deposition for any reason upon twenty-four (24) hours notice to Highland's counsel, or as otherwise agreed to in writing by the Reorganized Debtors and Highland; and it is further

ORDERED that the Reorganized Debtors shall notify Highland, on or before June 30, 2010, of their selection of dates for the Daugherty Deposition; and it is further

ORDERED that no later than two (2) days after the Daugherty Deposition, the Reorganized Debtors shall be entitled to submit a declaration to rebut the Daugherty Declaration or the Daugherty Deposition (a "Rebuttal Declaration"), but shall not be entitled to submit any

other direct testimony not already submitted at or prior to the Fifty-Fifth Omnibus Hearing held May 20, 2010; and it is further

ORDERED that, in the event that the Reorganized Debtors submit a Rebuttal Declaration, the Reorganized Debtors' declarant shall be made available between the hours of 8:00 a.m. and 5:00 p.m. (prevailing Eastern time) on either July 19 or 20, 2010 for a deposition in New York, New York, Troy, Michigan, or by phone if necessary, as agreed upon by the Reorganized Debtors and Highland; provided, however, that, in any event, Highland shall be entitled, at their discretion, to depose the Reorganized Debtors' declarant for up to seven hours, not including time taken for breaks or on account of any other interruptions; and it is further

ORDERED that, in the event that Highland and/or the Reorganized Debtors timely submit a declaration, Mr. Daugherty and the Reorganized Debtors' declarant, as applicable, shall be present at the Hearing and available for cross-examination or questioning by the Court.

Dated: White Plains, New York
June 30, 2010

/s/Robert D. Drain
UNITED STATES BANKRUPTCY JUDGE